

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF CONNECTICUT**

ADRIAN PEELER,

Plaintiff,

v.

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) **COMPLAINT FOR INJUNCTIVE RELIEF**

U.S. DEPARTMENT OF JUSTICE,

FEDERAL BUREAU OF INVESTIGATION)

950 Pennsylvania Avenue, NW

Washington, DC 20530-0001

Defendant.

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COMPLAINT FOR INJUNCTIVE RELIEF

1. This is an action brought under the Freedom of Information Act, 5 U.S.C. § 552, as amended, for injunctive and other appropriate relief and seeking disclosure and release of agency records improperly withheld from the Plaintiff by the Defendant, Department of Justice (DOJ) and its component, the Federal Bureau of Investigation (FBI).

Jurisdiction and Venue

2. This Court has both subject matter jurisdiction over this action and personal jurisdiction over the parties pursuant to 5 U.S.C. § 552(a)(4)(B). This court also has jurisdiction over this action pursuant to 28 U.S.C. § 1331. Venue lies in this district under 5 U.S.C. § 552(a)(4)(B).
3. The Defendant gathered Plaintiff's personal information during investigations.
4. Defendant DOJ/FBI is a Department of the Executive Branch of the United States Government, and includes the component entity DEA. The DOJ is an agency within the meaning of 5 U.S.C. § 552(f).

Government Agency's Acquisition of Private Sector Personal Information

5. Between November 1, 1998 and February 25, 1999, the Defendant gathered personal data from the Defendant and others in the form of telephone call information including, but not limited to, dialed parties, dialed numbers, dialed names, dialed addresses, dialed dates, and times that calls were dialed.
6. Defendant held information under case numbers 267C-NH-3889, 267C-NH-3889-1, 267C-NH-3889-2, 267C-NH-3889-3, 267C-NH-3889-FISUR, 267C-NH-3889-SBP, 267C-NH-3889-TEL, 267C-NH-3889-302, 267C-NH-3889-NC.

Plaintiff's FOIA Requests and Defendant's Responses

7. On January 17, 2011, Plaintiff requested from Defendant DOJ's component FBI all records in connection with Adrian Peeler.
8. On January 26, 2011, Defendant, through David Hardy, Section Chief of Record Dissemination in the Records Management Division, acknowledged receipt of the Plaintiff's request and responded that the request was opened and assigned case number 1160267-000.
9. On April 19, 2011, the FBI wrote to advise that the FBI was still searching records.
10. On July 19, 2011, the FBI wrote to advise that an FBI analyst was reviewing the records.
11. On July 22, 2011, the FBI indicated that the review was complete and enclosed (17) pages of (29) pages that were being released.
12. On August 22, 2011, the Plaintiff appealed the decision.
13. On September 16, 2011, the FBI, through Priscilla Jones, Supervisory Administrative Specialist, acknowledged receipt of the Plaintiff's administrative appeal and assigned case number AP-2011-03092.
14. On October 25, 2011, the FBI, through Janice Galli McLeod, Associate Director, affirmed the FBI's action.
15. Plaintiff has exhausted the applicable administrative remedies with respect to its FOIA request to Defendant FBI.

Cause of Action

16. The FBI has wrongfully withheld the requested records from the Plaintiff in violation of the Freedom of Information Act.
17. Plaintiff is entitled to an order requiring the immediate processing and release of the requested documents pursuant to 5 U.S.C. § 552(a)(4)(B).

Requested Relief

WHEREFORE, Plaintiff prays that this Court

- A. Order the Defendant to disclose the requested records in their entireties and make copies available to the Plaintiff;
- B. Provide for expeditious proceedings in this action;
- C. Award plaintiff its costs and reasonable attorneys fees incurred in this action; and
- D. Grant such other relief as the Court may deem just and proper.

DATED: January 17, 2012

Respectfully submitted,
ADRIAN PEELER



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